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17 **UNITED STATES DISTRICT COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

20 CISCO SYSTEMS, INC.,

21 Plaintiff,

22 vs.

23 ARISTA NETWORKS, INC.,

24 Defendant.

25 CASE NO. 5:14-cv-5344-BLF (NC)

26 **DECLARATION OF SARA E. JENKINS
27 IN SUPPORT OF CISCO'S
28 ADMINISTRATIVE MOTION TO FILE
UNDER SEAL CONFIDENTIAL
INFORMATION IN CISCO'S TRIAL
BRIEF**

25 02099-00004/8557741.1

26 DECLARATION OF SARA E. JENKINS IN SUPPORT OF CISCO'S
27 ADMINISTRATIVE MOTION TO FILE UNDER SEAL
28 Case No. 5:14-cv-05344-BLF (NC)

DECLARATION OF SARA E. JENKINS

I, Sara E. Jenkins, declare as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate with the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Cisco Systems, Inc. (“Cisco”). I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

9 2. I make this declaration in support of Cisco's Motion to File Under Seal
10 Confidential information filed connection with Cisco's Trial Brief. I make this declaration in
11 accordance with Civil Local Rule 79-5(d)(1)(A).

12 3. Cisco’s Trial Brief is non-dispositive. In this context, materials may be sealed so
13 long as the party seeking sealing makes a “particularized showing” under the “good cause”
14 standard of Federal Rule of Civil Procedure 26(c). *Kamkana v. City and Cnty. of Honolulu*, 447
15 F.3d 1172, 1180 (9th Cir. 2006) (quoting *Foltz v. State Farm Mutual Auto Insurance Co.*, 331
16 F.3d 1122, 1138 (9th Cir. 2003)). In addition, Civil Local Rule 79-5 requires that a party seeking
17 sealing “establish[] that the document, or portions thereof, are privileged, protectable as a trade
18 secret or otherwise entitled to protection under the law” (i.e., that the document is “sealable”).
19 Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored to seek sealing only of
20 sealable material.” *Id.*

21 4. Cisco files this motion to seal to provide Arista Networks, Inc. the opportunity to
22 file a declaration pursuant to Civil Local Rule 79-5(e) regarding the confidentiality of the
23 document identified in the chart below.

Document	Portions to Be Filed Under Seal	Party With Claim of Confidentiality
Cisco's Trial Brief	Highlighted Portions	Arista

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in Redwood Shores, California, on November 11, 2016.

/s/ Sara E. Jenkins

Sara E. Jenkins

02099-00004/8557741.1

SIGNATURE ATTESTATION

Pursuant to Civ. L.R. 5-1(i)(3), the undersigned hereby attests under penalty of perjury that concurrence in the filing of this document has been obtained from the signatory indicated by the “conformed” signature (/s/) of registered ECF User Sara E. Jenkins.

Dated: November 11, 2016

/s/ John M. Neukom
John M. Neukom